

AMENDED IN ASSEMBLY MARCH 26, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 945

Introduced by Assembly Member Nunez

February 20, 2003

An act to add Section 207.6 to the Welfare and Institutions Code, relating to minors.

LEGISLATIVE COUNSEL'S DIGEST

AB 945, as amended, Nunez. Detention of minors in adult facilities.

Existing law permits the detention of minors in jails and other secure facilities for the confinement of adults if certain conditions are met, including that the juvenile court or court of criminal jurisdiction makes a finding that the minor's further detention in the juvenile hall would endanger the safety of the public or would be detrimental to the other minors in the juvenile hall.

Existing law also authorizes the juvenile court to order that certain minors who have committed specified serious or violent offenses and who have been declared to be not a fit and proper subject to be dealt with under juvenile law, or whose cases have been filed directly in or transferred to a court of criminal jurisdiction, be delivered to the custody of the sheriff, upon making a specified finding.

This bill would permit a minor to be detained in a jail or other secure facility for the confinement of adults pursuant to ~~that provision~~ *those provisions* only if the court makes its findings on the record and, in addition, finds that the disciplinary procedures available in the juvenile

hall would be insufficient to ensure the safety of the public or prevent detrimental effects on the other minors in the juvenile hall.

The bill would also require the Judicial Council to promulgate rules of court to ensure compliance with the standards set forth in this provision and existing law.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 207.6 is added to the Welfare and
2 Institutions Code, to read:

3 207.6. (a) A minor may be detained in a jail or other secure
4 facility for the confinement of adults pursuant to subdivision (b)
5 of Section 207.1 *or paragraph (1) of subdivision (b) of Section*
6 *707.1* only if the court makes its findings on the record and, in
7 addition, finds that the disciplinary procedures available in the
8 juvenile hall would be insufficient to ensure the safety of the public
9 or prevent detrimental effects on the other minors in the juvenile
10 hall.

11 (b) *The Judicial Council shall promulgate rules of court to*
12 *ensure compliance with the standards set forth in this section and*
13 *in subdivision (b) of Section 207.1 or paragraph (1) of subdivision*
14 *(b) of Section 707.1.*

